

IN THE UNITED STATES DISTRICT COURT
IN THE DISTRICT OF NORTH DAKOTA

UNITED STATES OF AMERICA,)

Plaintiff,)

Case No. 3:25-CR-00140

vs.)

**DEFENDANT’S SECOND
MOTION FOR RELEASE FROM
CUSTODY**

Charles Dalzell,)

Defendant)

COMES NOW, the Defendant, Charles Dalzell, by and through his attorney, Jeremy J. Curran, and hereby moves the Court to release him from custody pending resolution of this matter.

Defendant has remained in custody since this case was commenced in June, 2025, and has remained in continuous custody for approximately six (6) months at this time. During that time, Defendant has completed an evaluation to determine his fitness proceed in this action, with a finding that he is competent to proceed and assist in his own defense. He is currently being held in the Cass County Jail in Fargo, North Dakota. A prior hearing was held on Defendant’s previous motion for release from custody, which was denied by the Court.

A change of circumstances has occurred since the last hearing which justifies revisiting Defendant’s release pending trial. Defendant has been accepted to inpatient treatment at two (2) separate facilities at this time, and is ready and eager to seek help with his substance abuse issues. This is not adequately being addressed from a jail setting. Defendant has provided proof of acceptance to both facilities to the United States, who are open to the idea of Defendant receiving

treatment while this case is pending. Further, Defendant's family is in the process of clearing the warrant from Burleigh County, North Dakota, and it is anticipated that issue will be resolved soon.

For the aforementioned reasons, Defendant respectfully requests the Court revisit the issue pretrial release and permit him to be released from custody pending resolution of this case into a treatment setting.

Dated this 2 day of February, 2026.

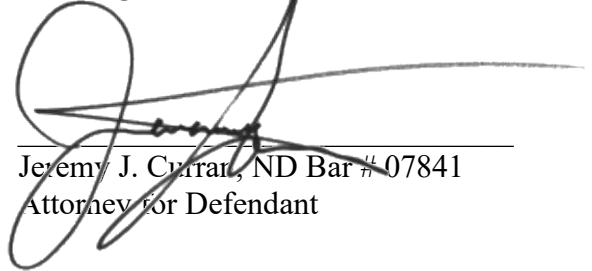
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A handwritten signature in black ink, appearing to read 'Jeremy J. Curran', is written over a horizontal line. The signature is stylized with a large loop at the beginning and a long, sweeping horizontal stroke extending to the right.

Jeremy J. Curran, ND Bar # 07841

Attorney for Defendant